

# HOUSE BILL No. 1122

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 35-42-3-2; IC 35-42-3-3.

**Synopsis:** Kidnapping and criminal confinement. Provides that a person commits kidnapping if the person removes another person by fraud, force, or enticement from one place to another by using a vehicle. Makes criminal confinement a Class C felony, and enhances the offense to a Class B felony if the person confined or removed is less than 14 years of age.

**Effective:** July 1, 2005.

**Smith J**

January 6, 2005, read first time and referred to Committee on Courts and Criminal Code.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

## HOUSE BILL No. 1122

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 35-42-3-2 IS AMENDED TO READ AS  
2       FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) A person who  
3       knowingly or intentionally confines another person:

- 4               (1) with intent to obtain ransom;  
5               (2) while hijacking a vehicle;  
6               (3) with intent to obtain the release, or intent to aid in the escape,  
7               of any person from lawful detention; or  
8               (4) with intent to use the person confined as a shield or hostage;  
9       commits kidnapping, a Class A felony.

10       (b) A person who knowingly or intentionally removes another  
11       person by fraud, enticement, force, or threat of force from one place to  
12       another:

- 13               (1) with intent to obtain ransom;  
14               (2) ~~while hijacking~~ **by using** a vehicle;  
15               (3) with intent to obtain the release, or intent to aid in the escape,  
16               of any person from lawful detention; or  
17               (4) with intent to use the person removed as a shield or hostage;

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commits kidnapping, a Class A felony.

SECTION 2. IC 35-42-3-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) A person who knowingly or intentionally:

- (1) confines another person without the other person's consent; or
- (2) removes another person by fraud, enticement, force, or threat of force from one (1) place to another;

commits criminal confinement. Except as provided in subsection (b), the offense of criminal confinement is a ~~Class D~~ **Class C** felony.

(b) The offense of criminal confinement defined in subsection (a) is a **Class B felony if:**

- (1) ~~a Class C felony~~ if the person confined or removed is less than fourteen (14) years of age and is not the confining or removing person's child; ~~and or~~

(2) ~~a Class B felony~~ if it the offense:

- (A) is committed while armed with a deadly weapon;
- (B) results in serious bodily injury to a person other than the confining or removing person; or
- (C) is committed on an aircraft.

SECTION 3. [EFFECTIVE JULY 1, 2005] **IC 35-42-3-2 and IC 35-42-3-3, both as amended by this act, apply only to crimes committed after June 30, 2005.**

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